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10 UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
11 SOUTHERN DIVISION

12 MD ABUKAKAR HOSSAINPK, and
13 MST SHALEHA HOSSAIN, d.b.a.,
14 SOHAN AMERICA MARKET,

15 Plaintiffs,

16 v.

17 THE UNITED STATES OF AMERICA,

18 Defendant.
19

No. CV 15-02107 AG (KESx)

JOINT RULE 26 REPORT

[SCHEDULING CONFERENCE ON
MAY 23, 2016 AT 9:00am]

20 Plaintiffs, Md Abukakar Hossainpk and Mst Shaleha Hossain, d.b.a. Sohan
21 America Market, and Defendant, United States of America, hereby submit this join
22 report for the scheduling conference set for May 23, 2016.

23 1. **Nature of the case:** Plaintiff filed this lawsuit seeking judicial review of an
24 administrative action permanently disqualifying Sohan America Market store from
25 participating in the Supplemental Nutrition and Assistance Program (“SNAP,” formerly
26 known as the Food Stamp Program). The Food and Nutrition Service (“FNS”) imposed
27 the sanction because the FNS determined Plaintiffs had engaged in trafficking of food
28 stamps.

Judicial review “shall be a trial de novo...in which the court shall determine the validity of the questioned administrative action in issue.” 7 U.S.C. § 2023(a)(15). Review of the penalty imposed by the FNS, however, is limited and is governed by the arbitrary and capricious standard. See Wong v. United States, 859 F.2d 129, 132 (9th Cir. 1988).

2. **Appropriate last date for the completion of discovery**: August 3, 2016. Discovery should not be conducted in phases or limited.

3. **Last day motions can be heard**: September 19, 2016.

4. **Appropriate date for final pretrial conference**: October 17, 2016.

5. **Appropriate date for trial**: November 15, 2016.

6. **Preliminary estimate for trial**: two (2) days.

7. **Efforts to resolve the case**: The parties will engage in informal settlement discussions as the case progresses.

7. **Settlement Conference**: In the event formal settlement procedures become necessary, the parties agree they should be conducted pursuant to Settlement Procedure No. 1 (settlement proceedings before the magistrate judge assigned to the case.) The parties propose a settlement conference cut-off date of October 3, 2016.

8. **Complex Litigation**: This is not a complex case nor does it require the use of the manual for complex litigation.

9. **Parties**: There will be no additional parties added to these proceedings.

10. **Dispositive motions**: Defendant intends to file a motion for summary judgment based on the administrative record.

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